

Notice of Allowability	Application No.	Applicant(s)	
	10/080,765	LEWIS, JOHN E.	
	Examiner	Art Unit	
	Shaima Q. Aminzay	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to May 12, 2005.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☒ The drawings filed on 22 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 10, 2005 has been entered.

Allowable Subject Matter

1. Claims 1-28 are allowed.

Reasons for Allowance

2. The following is an examiner's statement of reason for allowance:

None of the prior art of the record either singularly or in combination teaches or fairly suggests "...the table containing a plurality of ESN features associated with mobile telecommunication devices for a plurality of wireless markets and the ESN features being compared with an ESN acquired from a home location register associated with a mobile communication device in a multi-service telecommunication service provider network for determining an up-to-date IRDB

template to be downloaded to the mobile communication device and wherein comparing the ESN acquired from the mobile communications occurs when the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB”.

Cited reference Daly (Daly, U. S. Publication number 2002,0193,103) discloses a memory for updating service information stored in a mobile station relies on the programmability of the station and over-the-air transmission telecommunication information, when a station is inactive mode the delivery flag is set and when the station is active registration and over-the-air transmission is being performed, and further, Daly discloses verifying the correct ESN in a multi-service telecommunication service provider network for determining and downloading the IRDB to the mobile communication device. In related art, Bridges (Bridges et al., U. S. Publication number 2003,0054,809) discloses the ESN is obtained from a Customer Service Center (CSC) database rather than an HLR features compared with an ESN acquired from a mobile communication device.

However, Daly (Daly, U. S. Publication number 2002,0193,103) in view of Bridges (Bridges et al., U. S. Publication number 20030054809) failed to render obviousness in combination or individually the following underlined limitations:

“A memory for storing data for access by an application program executed by a computer for obtaining IRDB information for a mobile communication device in

a multi-service telecommunication service provider environment, comprising: a table stored in the memory, the table containing a plurality of ESN features associated with mobile telecommunication devices for a plurality of wireless markets and the ESN features being compared with an ESN acquired from a home location register associated with a mobile communication device in a multi-service telecommunication service provider network for determining an up-to-date IRDB template to be downloaded to the mobile communication device and wherein comparing the ESN acquired from the mobile communications occurs when the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB" as disclosed in claim 1.

"An apparatus for obtaining IRDB information for a mobile communication device in a multi-service telecommunication service provider environment, the apparatus comprising: means for containing a plurality of ESN features associated with mobile telecommunication devices for a plurality of wireless markets, the ESN features being compared with an ESN acquired from a home location register associated with a mobile communication device in a multi-service telecommunication service provider network for determining an up-to-date IRDB template to be downloaded to the mobile communication device. Wherein comparing the ESN acquired from the home location register associated with mobile communications occurs when the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates" as disclosed in claim 11.

“...means for querying a table containing a plurality of features associated with a mobile telecommunication devices for a plurality of wireless markets in accordance with the ESN received from the home location register associated with the mobile communication device; and means for selecting an IRDB template from an IRDB database based on the ESN received from the mobile communication device and the features contained in the table. Wherein the ESN received from the home location register associated with the mobile communications devise is compared to the features contained in the table when the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates” as disclosed in claims 12 and 15.

“...means for receiving a registration notification message from a mobile communication device; means for querying a table containing a plurality of features associated with a mobile telecommunication devices for a plurality of wireless markets in accordance with the ESN received from the mobile communication device; means for selecting an IRDB template from an IRDB database based on the value of the ESN received from a home location register associated with the mobile communication device and the features contained in the table; and means for downloading the IRDB template to the telecommunication device; means for selecting an IRDB template from an IRDB data base based on the value of the ESN received from the home location register associated with mobile communication device and the features contained

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in the table; and means for downloading the IRDB template to the telecommunication device; wherein the ESN received from the a home location register associated with IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates” as disclosed in claims 13 and 22.

“...means for querying a table containing a plurality of features associated with a mobile telecommunication devices for a plurality of wireless markets in accordance with the ESN received from a home location register associated with the mobile communication device; means for selecting an IRDB template from an IRDB database based on the value of the ESN received from the home location device associated with mobile communication device and the features contained in the table; and means for downloading the IRDB template to the telecommunication device; wherein the ESN received from the a home location register associated with IRDB template is to be downloaded to ensure correct IRDB template selection from available IRDB templates stored in the IRDB database” as disclosed in claims 14 and 28.

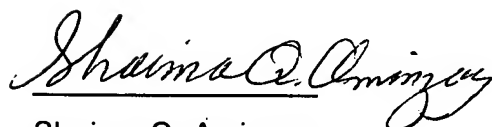
For these reasons, independent claims 1, 11, 12, 13, 14, 15, 22, and 28 are allowed. Claims 2-10 which depend from independent claim 1, claims 16-21 which depend from independent claim 15, claims 23-27 which depend from independent claim 22 are allowed under the same reasons set forth in claims 1,

15, and 22.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

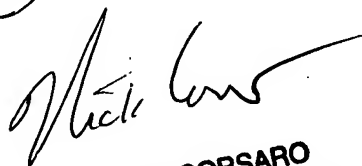
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 571-272-7874. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882, the primary examiner, Nick Corsaro can be reached on 571-272-7876. The fax number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)



Shaima Q. Aminzay

(Examiner)

May 29, 2005

**NICK CORSARO
PRIMARY EXAMINER**

Nick Corsaro

(Primary)

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